

Everyday Ethics: To Speak Up or Not to Speak Up, or, The Limits of Pluralism Rabbi Adina Lewittes

Submitted to *The Ethicist*, 7/11/1999:

I had dinner at the home of one of my neighbors, and he said Grace in a way that seemed appallingly sexist. Should I have voiced my dissent or kept quiet and allowed for the possibility that he feels differently than I do? (Anonymous, Los Angeles)

BIG JEWISH IDEAS

Devarim 16:20

צֶדֶק צֶדֶק תִּרְדֹּף לְמַעַן תַּחֲיֶיהָ וְיָרַשְׁתָּ אֶת-הָאָרֶץ אֲשֶׁר-יְהוָה אֱלֹהֶיךָ נֹתֵן לָךְ:

Justice, justice shall you pursue, that you may thrive and occupy the land that the Adonai your God is giving you.

Bavli Yevamot 87b

ושתיקה כהודאה דמיא

Silence is considered like an admission.

- **Sforno on Parshat Matot**

“When a person has the ability to protest and remains silent, his silence is similar to verbal consent. When you do not say something to disagree, it is as if you agree with what was said or done.”

Tehillim 17:6

אֲנִי-קִרְאתִיךָ כִּי-תַעֲנֵנִי אֵל הַט־אָזְנוֹךָ לִּי שְׁמַע אִמְרָתִי:

I call on You; You will answer me, God; turn Your ear to me, hear what I say.

Elie Wiesel: There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest.

Bavli Eruvin 13b

אלו ואלו דברי אלהים חיים

These and those are the words of the living God

Rabbi Joel Roth: Pluralism doesn't mean someone else's right to be wrong; it means their right to be right.

JEWISH SOURCES

1. Kohelet 12:11

דְּבָרֵי חֲכָמִים כַּדְרָבֹנֹת וְכַמְשֻׁמְרוֹת נְטוּעִים בְּעֵלֵי אֲסָפוֹת נִתְּנוּ מִרְעָה אֶחָד:

The sayings of the wise are like goads, like nails fixed in prodding sticks. They were given by one Shepherd.

- **Bavli Hagigah 3b**

שמא יאמר אדם היאך אני למד תורה מעתה תלמוד לומר כולם נתנו מרועה אחד אל אחד נתנו פרנס אחד אמרן מפי אדון כל המעשים ברוך הוא דכתיב (שמות כ, א) וידבר אלהים את כל הדברים האלה אף אתה עשה אזניך כאפרכסת וקנה לך לב מבין לשמוע את דברי מטמאים ואת דברי מטהרים את דברי אוסרין ואת דברי מתירין את דברי פוסלין ואת דברי מכשירין בלשון הזה אמר להם אין דור יתום שר' אלעזר בן עזריה שרוי בתוכו

Lest a person say: Now, how can I study Torah when it contains so many different opinions? The verse states that they are all “given from one shepherd.” One God gave them; one leader, i.e., Moses, said them from the mouth of the blessed Master of all creation, as it is written: “And God spoke all these words” (Exodus 20:1). So too you, the student, make your ears like a funnel and acquire for yourself an understanding heart to hear both the statements of those who render objects ritually impure and the statements of those who render them pure; the statements of those who prohibit actions and the statements of those who permit them; the statements of those who deem items invalid and the statements of those who deem them valid.

2. Tosafot Rabbi Shimshon of Sens, Eduyot 1:5

Why do they record the minority opinion? That is, since the law always accords with the majority, why would the Mishnah record the minority opinion along with the majority? For a court may agree with the minority opinion, like the Amoraim who rule on halakhot...But if the minority's words were concealed, the Amoraim would not have been able to openly disagree with the Tannaim, who were greater than they in both wisdom and number. But because the opinions were recorded they could rule in accordance with it. For the Torah already stated, “Follow the majority” (Shemot 23:2). And although the minority opinion was not accepted at the first time, and the majority did not agree with it, a new generation will come and the majority will accept its argument and the halakhah will accord with it. For the entire Torah was given thus to Moses -- aspects which indicate “pure” and aspects which indicate “impure”. And the people complained, “When will all this be clear?” [He] said to them, “Follow the majority, but both are the words of the living God.”

3. Pirkei Avot 5:17

כל מחלוקת שהיא לשם שמים, סופה להתקיים. ושאינה לשם שמים, אין סופה להתקיים. איזו היא מחלוקת שהיא לשם שמים, זו מחלוקת הלל ושמאי. ושאינה לשם שמים, זו מחלוקת קרח וכל עדתו:

Every argument that is for [the sake of] heaven's name, it is destined to endure. But if it is not for [the sake of] heaven's name -- it is not destined to endure. What is [an example of an argument] for [the sake of] heaven's name? The argument of Hillel and Shammai. What is [an example of an argument] not for [the sake of] heaven's name? The argument of Korach and all of his congregation.

- **Bartenura on Pirkei Avot 5:17**

כל מחלוקת שהיא לשם שמים סופה להתקיים.

Every argument...: ...And I heard the explanation of "its end" is its purpose that is sought from its subject. And the argument which is for the sake of Heaven, the purpose is to arrive at the truth--and this endures. As it says, "From a dispute the truth will emerge." This is like the argument between Hillel and Shammai - that the law was like the school of Hillel.

And the argument which is not for the sake of Heaven, its desired purpose is to achieve power and the love of victory-- and its end will not endure. As we found in the argument of Korach and his congregation - that their aim and ultimate intent was to achieve honor and power, and the opposite was [achieved].

4. Bavli Eruvin 13b

א"ר אבא אמר שמואל שלש שנים נחלקו ב"ש וב"ה הללו אומרים הלכה כמותנו והללו אומרים הלכה כמותנו יצאה בת קול ואמרה אלו ואלו דברי אלהים חיים הן והלכה כב"ה וכי מאחר שאלו ואלו דברי אלהים חיים מפני מה זכו ב"ה לקבוע הלכה כמותן מפני שנוחין ועלובין היו ושונין דבריהן דברי ב"ש ולא עוד אלא שמקדימין דברי ב"ש לדבריהן

Rabbi Abba said that Shmuel said: For three years Beit Shammai and Beit Hillel disagreed. These said: The *halakha* is in accordance with our opinion, and these said: The *halakha* is in accordance with our opinion. Ultimately, a Divine Voice emerged and proclaimed: Both these and those are the words of the living God. However, the *halakha* is in accordance with the opinion of Beit Hillel. The Gemara asks: Since both these and those are the words of the living God, why were Beit Hillel privileged to have the *halakha* established in accordance with their opinion? The reason is that they were agreeable and forbearing, showing restraint when affronted, and when they taught the

halakha they would teach both their own statements and the statements of Beit Shammai. Moreover, when they formulated their teachings and cited a dispute, they prioritized the statements of Beit Shammai to their own statements, in deference to Beit Shammai.

5. Bavli Yevamot 1:10

לא נמנעו ב"ש מלישא נשים מבית הלל ולא ב"ה מבית שמאי ללמדך שחיבה וריעות נוהגים זה בזה לקיים מה שנאמר (זכריה ח, יט) האמת והשלום אהבו

Beit Shammai did not refrain from marrying women from Beit Hillel, nor did Beit Hillel refrain from marrying women from Beit Shammai. This serves to teach you that they practiced affection and camaraderie between them, to fulfill that which is stated: "Love truth and peace" (Zechariah 8:19).

6. Maharal MiPrague, Netivot Olam

It is more fitting and correct that one should determine the law for themselves directly on the basis of the Talmud, even though there is a danger that they will not follow the true path and not decide the law as it should be in truth. Notwithstanding, the sage has only to consider what their intellect apprehends and understands from the Talmud and if their understanding and wisdom misleads them, they are nevertheless believed by God when they decide in accordance with their mind's dictates...and they are superior to one who rules from a later prepared code without knowing the reasons which are the ground of the decision. Such a one walks like a blind person on the way.

7. Rabbi Eugene Borowitz, Renewing the Covenant

Even pluralism, which we embraced as giving our society an appreciation of human diversity, now pains us by its even-handed legitimation of vice along with what we long thought virtue.

8. Rav Shagar, Faith Shattered and Restored: Judaism in the Postmodern Age, 2017:

To prevent postmodernism from sliding into absurdity, we must set boundaries. Where is the line at which the postmodernist will refuse to accept the other's values? What criteria and methods should be used for setting such boundaries?

9. Raphael Jospe, “Pluralism Out of the Sources of Judaism: Religious Pluralism Without Relativism”, Studies in Jewish Christian Relations, Bar Ilan University, Volume 2, Issue 2

Returning to allegations of relativism, however, the truly meaningful question for me is not whether pluralism may necessarily entail some degree of relativism in general, but what kind of relativism. I cannot imagine that anyone is bothered by a pluralism of flavors of ice cream, if it should prove to be the case that one’s favorite taste is both subjective and relative. As a Jew, what concerns me most is moral relativism, which implies that there are no meaningfully binding standards (however derived) on all people. The experience of 20th century totalitarianism, and the Shoah in particular, should teach us the obvious dangers of such a position, and the Nuremberg Trials correctly, from my perspective (as the child of a German Jewish family, many of whose members were murdered by the Nazis), established international recognition that there are certain norms to which all people can and should be held, regardless of whether they were following what their country posited to be legal orders. Therefore, it seems to me that if, despite what I think, it should prove correct that pluralism inevitably entails some degree of relativism, we would then be obliged to differentiate between moral relativism, which may entail clear and immediate practical dangers, and various kinds of epistemological relativism, especially in terms of what people think about God, which may have its theoretical errors, but does not present an existential danger. Moral relativism affects interpersonal matters (*bein adam le-ḥ avero*), whereas epistemological relativism (if it be relativism at all, rather than pluralism) regarding diverse understandings of God refers to extremely personal and subjective questions between the individual and God (*bein adam la-maqom*).

10. Rabbi Yitz Greenberg, “Towards a Principled Pluralism”:

Does pluralism mean that I must accept without condemnation the consequences of actions by others which I myself consider to be illegal?...Have we created an impossible situation where people must choose to be either principled and reactionary or unprincipled and pluralist?...By what logic, then, can one demand that Jews extend mutual recognition to unacceptable views and practices as being fully within *Clal Yisrael*?

...Let all Jews make this simple calculation. If the other group consists of Jews who chose the covenant of fate, and if the principles of the movement show the same commitment, then that movement is legitimate. One may retain fundamental disagreements with that movement, but those disagreements are tactical and do not shake the basic consensus of unity.

...I would generalize Soloveitchik's insight: one must learn to distinguish validity and legitimacy. Legitimacy is derived from and applies to all groups that share the covenant of fate. Once having extended that legitimacy, one has every right to criticize and disagree with the validity of actions by groups that "violate" the covenant of destiny.

...The covenant of fate gives us rules which can guide the fight over the issues of practice, principle and values. This principle paves the way for frank and thorough criticism -- even devastating analyses and critiques -- of the other's practices or views without shaking the fundamental dimension of legitimacy. All communities, as all marriages, can exist with fights -- even hard fights -- as long as the fundamental legitimacy of the relationship is not challenged.

11. Yitz Greenberg, "The Principles of Pluralism", Sh'ma 1999:

Pluralism stems from the recognition that even absolutes have their limits...Ultimately, pluralism grows out of the essential dignity of human beings in the image of God. Given their dignity as images of God, i.e. as creatures of infinite value, equality and uniqueness, they are entitled to be heard. This dignity means that they should not be coerced or suppressed even if they are wrong in their views - as long as those views do not turn them into inhuman beings or lead them to evil behaviors that destroy the images

12. Rav Shagar, Faith Shattered and Restored: Judaism in the Postmodern Age, 2017:

According to Rabbi Nahman, *tzimtzum* is a paradox: On the one hand, in order for the world to exist, the Holy One, blessed be He, must withdraw from the cosmos. On the other, it is impossible for anything to exist without God...

Coping with this contradiction requires the belief that one's truth is a manifestation of God despite its relativity...

True, one can always ask, "But don't other people and other societies have different values?" But that possibility must not diminish the fact that I, too, have a certainty that I am unwilling to relinquish, a truth to which I will dedicate myself, for which I am willing to die, and even kill (the last is the most difficult and severe of actions).

How can the two points of view coexist?...

The fact that we cannot substantiate our own values, and will always doubt their truth, must not prevent us from continuing to believe in them...While acknowledging that the

competing ethical outlook is an expression of some aspect of the divine, I must staunchly adhere to my own outlook...One must respect and grant significance to every opinion...without diminishing one's respect for one's own opinions...

In the ethical context, the practical implication of Rabbi Nahman's position is that it is incumbent on me to prevent a member of a different culture from harming another if I believe his action is immoral -- even if his faith and culture compels him to do so, and even if, after the fact, I will be hard-pressed to justify the stance that spurred me to action, or to prove that it is preferable to the other's cultural outlook...

All truths may be the product of human conditioning, but such conditioning constitutes the medium through which the divine manifests in the world...To turn my faith into something absolute, objective and contextless is to fashion it into an ideology, an idol...

However, the pluralistic aspect must be augmented by a universal dimension, meaning the knowledge that, beyond our various cultural differences, there is a universal truth shared by all humans, that "the earth is all of one piece" (Bava Batra 67a). The fact that there are elements and motifs that recur across various cultures, even those that are distant from one another, indicates a shared foundation that is inherent to our very humanity...there is a common kernel of humanity...

By combining this universal point of view with doubt in the universality and absoluteness of any individual stance, every culture can accept other cultures as true alternatives that carry a kernel of truth. If more of us humbly acknowledge the limited capacity of the individual to utter absolute statements, perhaps we can establish justice and ethics alongside a renewed human solidarity.